

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KENNETH R. THOMPSON,

Plaintiff,

v.

**UNITED STATES OF AMERICA,
SMALL BUSINESS ADMINISTRATION, et al.,**

Defendants.

Case No. C-2-99-1404

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Abel

ORDER

Presently before the Court is Plaintiff Kenneth R. Thompson's Motion to Void This and All Companion Judgments and to Issue Summary Judgments in Favor of Plaintiff in All Suits (Doc. No. 36), which, for the reasons stated below, is hereby **DENIED**.

This Court's November 8, 2000, judgment was affirmed by the United States Court of Appeals for the Sixth Circuit on July 31, 2001. Plaintiff's petition for writ of *certiorari* was denied November 13, 2001. Although Plaintiff strongly believes that Defendants violated his constitutional rights when it cancelled his small business loan in 1978, he had a full and fair opportunity to litigate that claim and he lost. *Thompson v. SBA*, C-2-88-1054 (S.D. Ohio 1988). This Court found that the instant action was an attempt to collaterally attack the judgment in C-2-88-1054 and dismissed it based on the doctrine of *res judicata*. Plaintiff filed a motion to set aside that judgment (Doc. No. 31), which this Court denied (Doc. No. 35).

Twelve years has passed since the Court issued its judgment in this case and nine years ago the Court denied Plaintiff's motion to set aside the judgment. Plaintiff now moves again to

have the judgment, in this case and others, set aside. Leaving aside the fact that the Court has already considered Plaintiff's request and the fact that this Court cannot set aside the judgments of other courts, Rule 60 of the Federal Rules of Civil Procedure requires a request for relief from judgment to be filed "within a reasonable time." Fed. R. Civ. P. 60(c)(1). Filing a request for relief twelve years after the judgment was issued is not within a reasonable time. Accordingly, Plaintiff's motion is not well taken.

IT IS SO ORDERED.

5-24-2012
DATE


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE